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FM AMEMBASSY TOKYO  
TO RUEHC/SECSTATE WASHDC IMMEDIATE 3572  
INFO RUEHBJ/AMEMBASSY BEIJING IMMEDIATE 9737  
RUEHSW/AMEMBASSY BERN IMMEDIATE 1887  
RUEHWN/AMEMBASSY BRIDGETOWN IMMEDIATE 0128  
RUEHBY/AMEMBASSY CANBERRA IMMEDIATE 3206  
RUEHLO/AMEMBASSY LONDON IMMEDIATE 2440  
RUEHRK/AMEMBASSY REYKJAVIK IMMEDIATE 0215  
RUEHUL/AMEMBASSY SEOUL IMMEDIATE 5763  
RUEHSM/AMEMBASSY STOCKHOLM IMMEDIATE 0738  
RUEHTC/AMEMBASSY THE HAGUE IMMEDIATE 1106  
RUEHWL/AMEMBASSY WELLINGTON IMMEDIATE 1195  
RUEHFK/AMCONSUL FUKUOKA IMMEDIATE 4466  
RUEHNH/AMCONSUL NAHA IMMEDIATE 6799  
RUEHOK/AMCONSUL OSAKA KOBE IMMEDIATE 8268  
RUEHKS/AMCONSUL SAPPORO IMMEDIATE 4995  
RUCPDC/NOAA NMFS WASHINGTON DC IMMEDIATE

C O N F I D E N T I A L SECTION 01 OF 02 TOKYO 001286

SIPDIS

STATE FOR EAP/J AND OES/OA - MHAYES/LPHELPS  
STATE PASS CEQ  
USDOC FOR NOAA/NMFS - CMCCARTY AND RWULFF  
BRIDGETOWN FOR ANTIGUA AND BARBUDA

E.O. 12958: DECL: 06/08/2019

TAGS: [EFIS](#) [KSCA](#) [PREL](#) [SENV](#) [IWC](#) [JA](#)

SUBJECT: WHALING: JAPAN SUPPORTS ANOTHER YEAR FOR FUTURE OF  
THE IWC PROCESS

REF: A. STATE 57029

[1](#)B. TOKYO 322

Classified By: EMIN Robert F. Cekuta, reasons 1.4 b and d.

[1](#)1. (C) Summary: Japan supports continuing the Future of the International Whaling Commission process until the 2010 IWC Annual Meeting, Fisheries Agency of Japan Deputy Director General Jun Yamashita told Emboffs June 8. However, Japan is concerned the "starting point" for the Small Working Group (SWG) discussion has shifted from negotiating a medium term plan to address a range of issues and has become focused on elimination of Japan's research whaling program. Japan would like the SWG to get back to what the GOJ sees as the group's original mandate. Japan also supports retaining Alvaro de Soto as SWG chair. Regarding selecting a new IWC Chair and Vice-chair, Japan's preference is for Dr. Hogarth to continue as Chair for another year, but it would support others who offered a balance between the two positions, such as Switzerland and Antigua-Barbuda. Yamashita restated Japan's request that the USG look into the tax exempt status of the Sea Shepherd Conservation Society. Per points received from Washington, EMIN advised Yamashita to ask the Japanese Embassy in Washington to approach the Internal Revenue Service regarding the issue. Yamashita added the issue of the Sea Shepherd's actions vis a vis Japanese whaling vessels on the high seas needs to be addressed before Japan can move forward in the IWC negotiations. End summary.

[1](#)2. (C) EMIN accompanied by ESTH Unit Chief, delivered demarche points contained in ref A to Fisheries Agency of Japan Deputy Director General and Japan's Alternate Commissioner to the IWC Jun Yamashita June 8. Yamashita said Japan supports the SWG chair's recommendation that the Future of the IWC process continue for another year until the 2010 IWC Annual Meeting. However, he said the GOJ is concerned the original concept of the process, which he said is to negotiate a five year agreement that gradually addresses a range of issues to reform the IWC, has changed. Instead, he said the new "starting point" in the Process as advocated by Australia in particular, is to eliminate research whaling.

13. (C) While Japan will continue to work for resolution within the SWG, Yamashita said there are two stumbling blocks for the GOJ in the current proposals: 1) phasing out research whaling, and 2) IWC Scientific Committee advice for Japan's coastal whaling program. He added the GOJ already made a compromise before the negotiations started when it put on hold its plans to take humpback whales in 2007. (Note: EMIN pushed back on Yamashita's statement about the humpbacks and also noted the work IWC Chair Hogarth had done relating to a possible compromise way forward on coastal whaling and limitation on research whaling activities. Yamashita dropped any further reference to the humpbacks. End note.)

14. (C) In response to the questions contained in ref A, Yamashita said Japan believes in limiting participation in the SWG to at most ten members balanced between anti- and pro- whaling countries, and no observers. Regarding selecting a new IWC Chair and Vice-chair, Yamashita praised the work of Dr. Hogarth and said Japan's first choice is for Dr. Hogarth to continue for another year to see the process through. If that is not possible, he said the positions should represent a balance between the two sides and the rumored candidates, Switzerland and Antigua-Barbuda, in the GOJ's view, would be good choices.

15. (C) Regarding the SWG Chair, Yamashita said Alvaro de Soto has done a good job and should remain in that position for another year. The lack of progress within the SWG is not de Soto's fault, Yamashita said, and he then put the blame on

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the Australian government's extreme position. Nevertheless, de Soto, he said, had created a "good atmosphere" at the SWG meetings.

16. (C) Yamashita reiterated the previous GOJ request for the USG to look into the tax exempt status of the Sea Shepherd Conservation Society (ref B). He said the problem of the Sea Shepherd must be solved before Japan can make progress in the IWC negotiations. Drawing on points OES provided, EMIN replied the tax status of the Sea Shepherd is a legal issue and the Japanese Embassy in Washington should talk to the Internal Revenue Service.  
ZUMWALT